Oklahoma Statutes Citationized

Title 63. Public Health and Safety

Chapter 1 - Oklahoma Public Health Code

B. Hospital Facilities

Article Article 7 - Hospitals and Related Institutions

Section 1-713.1 - Legislative Findings - Federally Qualified Health Centers

Cite as: O.S. §, __ __

A. The Legislature finds that:

1. As providers of health care to medically underserved populations, Federally Qualified Health Centers are extremely beneficial to the citizens of Oklahoma;

2. The primary source of funding for Federally Qualified Health Centers is through grants of funds by the Bureau of Primary Health Care (BPHC) under Section 330 of the Public Health Service Act as amended by the Health Centers Consolidation Act of 1996;

3. The receipt of federal grants is dependent upon compliance with federal statutes, regulations and policies regarding the mission, programs, governance, management and financial responsibilities of such entities; and

4. In addition to federal grant monies, Federally Qualified Health Centers in Oklahoma receive additional monies through the appropriation of state funds.

B. In an effort to maintain the presence of Federally Qualified Health Centers in Oklahoma and minimize the possibility of jeopardizing federal funding for such entities, all Federally Qualified Health Centers in Oklahoma that receive grants under Section 330 of the Public Health Service Act shall:

1. Remain in compliance at all times with the federal statutes, regulations and polices governing their existence at 42 U.S.C. 254b, 42 CFR 51c.303, 51c.304 and 51c.305, and BPHC Policy Information Notice 98-23; and

2. Adhere to bylaws adopted in compliance with the federal statutes, regulations and polices including, but not limited to, provisions regarding the composition, functions and responsibilities of boards of directors of Federally Qualified Health Centers.

C. Further, the board of directors of a Federally Qualified Health Center shall be considered a public body for purposes of the Oklahoma Open Meeting Act and shall be subject to the provisions of that act, including criminal penalties provided therein for violations of that act.

D. Any Federally Qualified Health Center in Oklahoma that fails to comply with federal statutes, regulations and policies governing its existence shall be ineligible for state reimbursement for uncompensated care. Further, the entity shall be ineligible to receive such state reimbursement if the board of directors fails to remove, for cause, any board member convicted of a misdemeanor for violating the provisions of the Oklahoma Open Meeting Act, or any board member against whom a civil judgment is rendered relating to that member's service on the board.

E. The **State Department of Health** shall investigate reported violations of this act and, notwithstanding any other provision, shall enforce this act by not contracting to reimburse the uncompensated care costs of any Federally Qualified Health Center found to be in violation of the provisions of this act. The Department shall further report any violations of federal statutes, regulations and policies related to this act to the Bureau of Primary Health Care or other appropriate federal funding agency, and shall report violations of the Oklahoma Open Meeting Act to the district attorney in the jurisdiction where the entity is located.

F. In order to ensure that Federally Qualified Health Centers in Oklahoma remain eligible to receive state reimbursement for uncompensated care under the provisions of this act, the **State Board of Health** shall adopt rules, as it deems necessary and appropriate, requiring board members of such entities to receive board member training and establishing certification for entities to provide such training.

Historical Data

Laws 2005, SB 708, c. 41, § 1, emerg. eff. April 12, 2005.

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